

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAND MICHAEL EMINETH,

Defendant.

CR 22-45-M-DWM

ORDER

The United States having filed a Motion for Preliminary Order of Forfeiture, (Doc. 32), the Court finds:

THAT the Defendant, RAND MICHAEL EMINETH, plead guilty to the sole count of the Indictment, and the forfeiture count therein, and a factual basis and cause to issue a forfeiture order in this case exists under 21 U.S.C.

§§ 853(a)(1) and (2) and 21 U.S.C. § 881(a)(11);

THAT prior to the disposition of the assets, the FBI, the United States Marshal's Service, or a designated sub-custodian, is required to seize the forfeited property; and

THAT 21 U.S.C. § 853(n)(1) requires that third parties who may have an interest in the property receive notice, via publication, or to the extent practical, direct written notice of the forfeiture and the United States' intent to dispose of the

property.

Accordingly, IT IS ORDERED, DECREED AND ADJUDGED:

THAT the United States' motion (Doc. 32) is GRANTED;

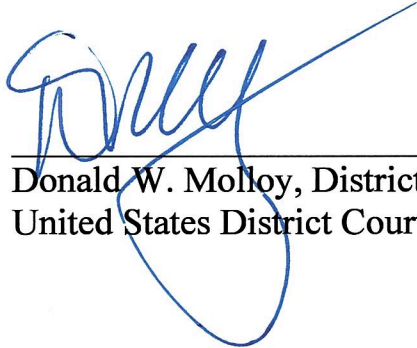
THAT Defendant Emineth's interest in one Samsung Galaxy S20, bearing serial number SM-G986U, is forfeited to the United States in accordance with 21 U.S.C. §§ 853(a)(1) and (2) and 21 U.S.C. § 881(a)(11);

THAT the FBI, the United States Marshal's Service, or a designated sub-custodian, is directed to seize the property subject to forfeiture and further to make a return as provided by law;

THAT the United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General of the United States may direct, pursuant to 21 U.S.C. § 853(n)(1), and to make its return to this Court that such action has been completed; and

THAT upon adjudication of all third-party interests, if any, the Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n)(7) and Fed. R. Crim. P. 32.2(c)(2), in which all interests will be addressed.

DATED this 9th day of January, 2023.



Donald W. Molloy, District Judge
United States District Court